

May 11, 2010

A regular meeting of the Council of the City of Bedford, Virginia, was held in the Council Hall of the Municipal Building at 7:40 p.m., May 11, 2010.

Members present: Mayor W. D. Tharp; Councilwoman Mary L. Flood; Councilman Jeffrey B. Hubbard; Councilman Steve C. Rush; Councilman C. G. Stanley, Jr.; Councilman James A. Vest; and Vice Mayor Robert T. Wandrei

Members absent: None

Staff present: City Manager Charles P. Kolakowski; City Attorney W. W. Berry, IV; and Clerk of the Council Teresa W. Hatcher

Mayor Tharp opened the meeting and led all present in saying the Pledge of Allegiance to the Flag.

Mayor Tharp declared that the minutes of an adjourned Council meeting held on April 21, 2010, an adjourned Council meeting held on April 27, 2010, and a regular Council meeting held on April 27, 2010, were approved as distributed.

City Manager Kolakowski reported on the following:

- The second “2<sup>nd</sup> Friday” event will be held on May 14 in the downtown area – everyone is invited for the shopping, food, and music

The City Manager stated the Consent Agenda consisted of the following item: the term of Mrs. Ann Wood on the Keep Bedford Beautiful Commission expires on June 30, 2010. She has indicated her willingness to serve another term if reappointed by Council. The vacancy has been advertised in the local newspaper, and no other citizens have volunteered to serve.

On motion by Councilman Stanley, seconded by Councilman Vest, voted upon and carried unanimously by a roll call vote, Council reappointed Mrs. Ann Wood to serve on the Keep Bedford Beautiful Commission, said term to expire June 30, 2013. Roll call vote follows:

Councilwoman Flood	aye
Councilman Hubbard	aye
Councilman Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Vice Mayor Wandrei	aye
Mayor Tharp	aye

City Manager Kolakowski reported that Council had received a proposed ordinance which readopts and reenacts §34-2 of the City Code, incorporating by reference current provisions of the Code of Virginia dealing with traffic laws and motor vehicle operation. Failure to adopt this ordinance would mean that offenders would have to be charged under the State law rather than the City law. Any fines collected would then be payable to

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the State rather than to the City. The ordinance has been posted in three locations in the City, in accordance with §2-54 of the City Code.

On motion by Councilman Rush, seconded by Vice Mayor Wandrei, voted upon and carried unanimously, Council adopted the ordinance, which readopts and reenacts code provisions dealing with traffic laws. Roll call vote follows:

Councilman Hubbard	aye
Councilman Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Vice Mayor Wandrei	aye
Councilwoman Flood	aye
Mayor Tharp	aye

The ordinance follows as adopted:

**AN ORDINANCE TO READOPT AND  
REENACT SECTION 34-2 OF THE CITY CODE  
INCORPORATING BY REFERENCE CURRENT PROVISIONS  
OF THE CODE OF VIRGINIA DEALING WITH  
TRAFFIC LAWS AND MOTOR VEHICLE OPERATION**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
BEDFORD, VIRGINIA:**

Section 1. Sec. 34-2 of the City Code is hereby readopted and re-enacted as follows:

Pursuant to the authority of Section 46.2-1313 of the Code of Virginia, the provisions and requirements of the laws of the Commonwealth of Virginia contained in Title 46.2 in Article 9 (Sec. 16.1-278 et seq) of Chapter 11 of Title 16.1, and in Article 2 (Sec. 18.2-266 et seq) of Chapter 7 of Title 18.2, of the Code of Virginia, except those provisions and requirements the violation of which constitute a felony, and except those provisions and requirements which by their very nature can have no application to or within the City, are hereby adopted and incorporated herein by reference and made applicable within the City. References to "Highways of the State" contained in such provisions and requirements hereby adopted, shall be deemed to refer to streets, highways and other public ways within the City. Such provisions and requirements are hereby adopted, mutatis mutandis, and made a part of this Chapter as fully as those set forth at length herein, and it shall be unlawful for any person, within the City, to violate or fail, neglect or refuse to comply with any provision of Title 46.2 or of Article 9 of Chapter 11 of Title 16.1 or of Article 2 of Chapter 7 of Title 18.2 of the Code of Virginia, which are adopted by this Section; provided, that in no event shall the penalty imposed for the violation of

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any provision or requirement hereby adopted exceed the penalty imposed for a similar offense under such titles of the Code of Virginia.

Section 2. This Ordinance shall become effective on July 1, 2010, upon publication one time, immediately following its passage, in some newspaper published in the City or upon posting at three or more public places in the City for one week, as required by Section 19 of the City Charter.

City Manager Kolakowski reported that Section 2.2 of the Blue Ridge Regional Jail Authority Service Agreement states that non-sheriff members of the Board shall be appointed for three-year terms. The BRRJA Board is requesting City Council appoint a member and alternate member, term to expire June 30, 2013. The City Manager stated Council is requested to adopt a Resolution authorizing James Day to serve as a member and Charles Kolakowski as the alternate to the Blue Ridge Regional Jail Authority Board, effective immediately and extending through the next cycle, which will end June 30, 2013.

On motion by Councilman Vest, seconded by Councilman Stanley, voted upon and carried unanimously by a roll call vote, Council adopted the resolution regarding appointment of members to the Blue Ridge Regional Jail Authority Board. Roll call vote follows:

Councilman Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Vice Mayor Wandrei	aye
Councilwoman Flood	aye
Councilman Hubbard	aye
Mayor Tharp	aye

The resolution follows as adopted:

## **RESOLUTION**

**WHEREAS**, the Blue Ridge Regional Jail Authority Service Agreement dated November 10, 1994, as amended, states that members of the Authority Board (other than sheriffs) shall be elected by their respective governing bodies; and

**WHEREAS**, the governing body of each participating jurisdiction has appointed a member and an alternate whose current terms expire June 30, 2010; and

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**WHEREAS**, the governing body of each jurisdiction has been requested by the Authority to appoint a member and an alternate for a term commencing July 1, 2010, and ending June 30, 2013.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of Bedford City that James Day is hereby appointed as a member of the Blue Ridge Regional Jail Authority and Charles Kolakowski is appointed as the alternate for such member, each for a term commencing July 1, 2010, and ending June 30, 2013.

The City Manager stated it has been determined that agenda item “Resolution – Dependent Care and Health Care Reimbursement Plans” does not have to be considered by City Council and no action was taken.

Mayor Tharp adjourned the meeting at 7:46 p.m.